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PATENT
Customer No. 22,852
Attorney Docket No. 07579.0015-01000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Graham Edmund KELLY et al.

Serial No.: 10/600,004 ✓

Filed: June 18, 2003

For: COMPOSITIONS FOR
CARDIOVASCULAR AND
BONE TREATMENT USING
FORMONONETIN AND OTHER
ISOFLAVONES

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)
)
) Group Art Unit: 1614
)
) Examiner: Cybille DELACROIX-MUIRHEID
)
) Confirmation No. 6037
)
)
)
)
)

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

UPDATED NOTICE REGARDING RELATED LITIGATION

Applicants hereby notify the U.S. Patent and Trademark Office of the status of litigation previously reported. The present application, U.S. Serial No. 10/600,004, filed June 18, 2003, is a continuation of U.S. application Serial No. 09/914,035, based on PCT/AU00/00384, filed on April 28, 1999. The patent in suit, U.S. Patent No. 6,562,380, issued from U.S. application Serial No. 08/910,837 on May 13, 2003, and was originally filed on August 13, 1997, as a continuation of U.S. application Serial No. 08/338,567, filed January 12, 1995, now U.S. Patent No. 5,830,887. Although the instant application and the patent in suit do not share a common specification or overlapping claims to priority, in the utmost of caution, the Applicants submit this notice in the event that the disclosures in the respective specifications would be considered

related. Application Serial Nos. 10/600,004; 09/914,035; 08/910,837; and 08/338,567 are assigned to Novogen Pty. Ltd. ("Novogen").

STATUS OF RELATED LITIGATION

The parties in the consolidated litigations (referred to as Solae I and Solae II) filed a Joint Stipulation of Dismissal on February 2005. There is no appeal pending.

REMARKS

Further to this Notice Regarding Related Litigation, the Applicants submit a copy of the Joint Stipulation and a Court Docket from PACER. If there are any fees due with the filing of this Notice not already accounted for, please charge the fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 21, 2005

By: Elisabeth Barek
Elisabeth Jaffe Barek
Reg. No. 46,797
Customer No. 22,852



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SOLAE, LLC,)
)
Plaintiff/Counterclaim Defendant,)
)
vs.) Case No. 4:03CV00732 HEA
) (consolidated with 4:03CV01595HEA)
ARCHER DANIELS MIDLAND COMPANY)
and AMERIFIT NUTRITION, INC.)
)
Defendants/Counterclaim Plaintiffs.)

JOINT STIPULATION OF DISMISSAL

Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, Plaintiff Solae, LLC (“Solae”) and Defendants Archer Daniels Midland Company (“ADM”) and Amerifit Nutrition, Inc. (“Amerifit”), by and through their undersigned counsel, hereby stipulate to the dismissal with prejudice of all claims and counterclaims in the above-styled action, including Solae’s claims against ADM and Amerifit, ADM’s counterclaims against Solae, and Amerifit’s counterclaims against Solae. Each party will bear its own attorneys’ fees and costs.

Respectfully submitted this 14th day of February, 2005.

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ADR, AO120, CLOSED, LEADTR, PROTO, STAYED, TRCK3

U.S. District Court
Eastern District of Missouri (LIVE) (St. Louis)
CIVIL DOCKET FOR CASE #: 4:03-cv-00732-HEA

Solae, L.L.C. v. Archer Daniels Co., et al
Assigned to: Honorable Henry E. Autrey
Demand: \$0
Lead case: 4:03-cv-00732-HEA (View Member Cases)
Cause: 28:1338 Patent Infringement

Date Filed: 06/03/2003
Jury Demand: Both
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Date Filed	#	Docket Text
06/03/2003	1	COMPLAINT; # Summons Issued: 2 # Days to Respond: 20 # Counts: 1 Disclosure of Corp Cert issued to: deft; jury demand exhibits attached: A-B (KLK) (Entered: 06/03/2003)
06/03/2003	2	RECEIPT # S2003-007859 in the amount of \$ 150.00 for filing fee (KLK) (Entered: 06/03/2003)
06/03/2003	3	TRACK INFORMATION STATEMENT filed by plaintiff Solae, L.L.C. track 3 preferred (KLK) (Entered: 06/03/2003)
06/03/2003	4	DISCLOSURE of Corporation Interests Certificate Parent companies: E.I. du Pont de Nemours and Company and Bunge Ltd. Subsidiaries: So Good International, Fuji Protein Technologies, DuPont Shineway Louhe Protein Company Limited, and Solae do Brasil. Publicly held company: E.I. du Pont de Nemours and Company and Bunge Ltd. by plaintiff Solae, L.L.C. (KLK) (Entered: 06/03/2003)
06/03/2003	5	NOTICE OF PRIVATE PROCESS SERVER; Process Server: Markell & Associates (KLK) (Entered: 06/03/2003)
06/03/2003		REPORT on the filing or determination of an action regarding Patent (cc: form mailed to register) (KLK) (Entered: 06/03/2003)
06/04/2003	6	MOTION by plaintiff Solae, L.L.C. for order to substitute exhibit a of the complaint filed 6/3/03 substituting exhibit a attached (MJM) (Entered: 06/05/2003)
06/05/2003	7	RULED DOCUMENT by Honorable Henry E. Autrey granting motion for order to substitute exhibit a of the complaint filed 6/3/03 [6-1] (cc: all counsel) (MJM) (Entered: 06/05/2003)
06/11/2003	8	RETURN OF SERVICE executed upon defendant Amerifit Nutrition on 6/10/03 by personal service by serving Luz Marquez (MJM) (Entered: 06/12/2003)
06/12/2003	9	RETURN OF SERVICE executed upon defendant Archer Daniels Co. on 6/4/03 by personal service by serving Bonnie Hunt, Registered Agent

		(MJM) (Entered: 06/13/2003)
06/19/2003	10	MOTION by plaintiff Solae, L.L.C. for attorney David F. Ries to appear pro hac vice (MJM) (Entered: 06/20/2003)
06/19/2003	11	RECEIPT # S2003-008389 in the amount of \$ 25.00 for Attorney admission for David L. Ries (MJM) (Entered: 06/20/2003)
06/20/2003	12	MOTION by plaintiff Solae, L.L.C. for attorney Patricia A. Carson to appear pro hac vice (MJM) (Entered: 06/24/2003)
06/20/2003	13	RECEIPT # S2003-008425 in the amount of \$ 25.00 for Attorney admission for Patricia Carson (MJM) (Entered: 06/24/2003)
06/23/2003	14	RULED DOCUMENT by Honorable Henry E. Autrey granting motion for attorney David F. Ries to appear pro hac vice [10-1] (cc: all counsel) (MJM) (Entered: 06/24/2003)
06/23/2003	15	ATTORNEY APPEARANCE for plaintiff Solae, L.L.C. by David F. Ries (MJM) (Entered: 06/24/2003)
06/26/2003	16	ATTORNEY APPEARANCE for defendant Archer Daniels Co. by Stephen H. Rovak, Michael T. Marrah, Kirill Y. Abramov (MJM) (Entered: 06/26/2003)
06/26/2003	16	MOTION by defendant Archer Daniels Co. for extension of time to answer Plaintiff's complaint until 7/3/03 (MJM) (Entered: 06/26/2003)
06/26/2003	17	RULED DOCUMENT by Honorable Henry E. Autrey granting motion for extension of time to answer Plaintiff's complaint until 7/3/03 [16-1] (cc: all counsel) (MJM) (Entered: 06/26/2003)
06/26/2003	18	DISCLOSURE of Corporation Interests Certificate Parent companies: None Subsidiaries: See Attachment Publicly held company: None by defendant Archer Daniels Co. (MJM) (Entered: 06/27/2003)
06/30/2003	19	MOTION by defendant Amerifit Nutrition for an extension of time to respond to Plaintiff's complaint up to and including 7/14/03 (MJM) (Entered: 07/01/2003)
06/30/2003	20	RULED DOCUMENT by Honorable Henry E. Autrey granting motion for attorney Patricia A. Carson to appear pro hac vice [12-1] (cc: all counsel) (MJM) (Entered: 07/01/2003)
06/30/2003	21	ATTORNEY APPEARANCE for plaintiff Solae, L.L.C. by Patricia Carson (Entry of appearance received in Clerk's Office on 6/20/03-- Order admitting pro-hac signed 6/30/03) (MJM) (Entered: 07/01/2003)
07/01/2003	22	RULED DOCUMENT by Honorable Henry E. Autrey granting motion for an extension of time to respond to Plaintiff's complaint up to and including 7/14/03 [19-1] (cc: all counsel) (MJM) (Entered: 07/02/2003)
07/02/2003	39	RECEIPT # S2003-009526 in the amount of \$ 50.00 for Attorney Admission for Gary Greenburg and Annapoorni Sankaran (MJM) (Entered: 07/23/2003)

07/03/2003	23	Notice of Motion: Motion to Dismiss by defendant Archer Daniels Co. (MJM) (Entered: 07/08/2003)
07/03/2003	23	MOTION by defendant Archer Daniels Co. to dismiss Date Motion Received: 7/10/03 [23-1] w/ memo in support and declaration of David K.S. Cornwell in support of motion attached (MJM) (Entered: 07/15/2003)
07/10/2003	24	MOTION by plaintiff Solae, L.L.C., defendant Archer Daniels Co. for leave to submit motion to dismiss w/ proposed order and motion to dismiss, memo in support and declaration of David K.S. Cornwell attached. (MJM) (Entered: 07/11/2003)
07/10/2003	24	MOTION by plaintiff Solae, L.L.C., defendant Archer Daniels Co. for extension of time for Plaintiff to file a response to motion to dismiss up to and including 8/4/03 and Defendant to file a reply in support of motion up to and including 8/14/03 w/ proposed order, motion to dismiss, memo in support and declaration of David K.S. Cornwell attached (MJM) (Entered: 07/11/2003)
07/11/2003	25	MOTION by defendant Amerifit Nutrition to dismiss Plaintiff's Complaint Date Motion Received: 7/11/03 (MJM) (Entered: 07/15/2003)
07/14/2003	<u>26</u>	RULED DOCUMENT by Honorable Henry E. Autrey granting motion for extension of time for Plaintiff to file a response to motion to dismiss up to and including 8/4/03 and Defendant to file a reply in support of motion up to and including 8/14/03 [24-1], granting motion for leave to submit motion to dismiss [24-1] (cc: all counsel) (MJM) (Entered: 07/15/2003)
07/14/2003	27	MOTION by defendant Amerifit Nutrition to withdraw the memo in support of motion to dismiss w/ corrected memo in support attached (MJM) (Entered: 07/15/2003)
07/16/2003	28	MOTION by plaintiff Solae, L.L.C. for additional time to file response to defendant Amerifit's Motion to dismiss (MJM) (Entered: 07/17/2003)
07/17/2003	29	MOTION by defendant Archer Daniels Co. for attorney Donald R. Banowit to appear pro hac vice (MJM) (Entered: 07/18/2003)
07/17/2003	30	MOTION by defendant Archer Daniels Co. for attorney Timothy J. Shea, Jr. to appear pro hac vice (MJM) (Entered: 07/18/2003)
07/17/2003	31	MOTION by defendant Archer Daniels Co. for attorney David K.S. Cornwell to appear pro hac vice (MJM) (Entered: 07/18/2003)
07/17/2003	32	RECEIPT # S2003-009440 in the amount of \$ 75.00 for Attorney Admission for Donald R. Banowit, Timothy J. Shea, Jr., and David K.S. Cornwell (MJM) (Entered: 07/18/2003)
07/21/2003	<u>33</u>	RULED DOCUMENT by Honorable Henry E. Autrey granting motion for attorney David K.S. Cornwell to appear pro hac vice [31-1] (cc: all counsel) (CEL) (Entered: 07/21/2003)

07/21/2003	<u>34</u>	RULED DOCUMENT by Honorable Henry E. Autrey granting motion for attorney Timothy J. Shea, Jr. to appear pro hac vice [30-1] (cc: all counsel) (CEL) (Entered: 07/21/2003)
07/21/2003	<u>35</u>	RULED DOCUMENT by Honorable Henry E. Autrey granting motion for attorney Donald R. Banowit to appear pro hac vice [29-1] (cc: all counsel) (CEL) (Entered: 07/21/2003)
07/21/2003	<u>36</u>	RULED DOCUMENT by Honorable Henry E. Autrey granting motion for additional time to file response to defendant Amerifit's Motion to dismiss [28-1] Pltff granted until 8/4 to file opposition to Amerifit's motion and Amerifit is granted until 8/14 to file reply (cc: all counsel) (CEL) (Entered: 07/22/2003)
07/22/2003	<u>37</u>	MOTION by defendant Amerifit Nutrition for attorney Gary R. Greenburg to appear pro hac vice (MJM) (Entered: 07/23/2003)
07/22/2003	<u>38</u>	MOTION by defendant Amerifit Nutrition for attorney Annapoorni R. Sankaran to appear pro hac vice (MJM) (Entered: 07/23/2003)
07/23/2003	<u>40</u>	RULED DOCUMENT by Honorable Henry E. Autrey granting motion for attorney Gary R. Greenburg to appear pro hac vice [37-1] (cc: all counsel) (CLA) (Entered: 07/25/2003)
07/23/2003	<u>41</u>	RULED DOCUMENT by Honorable Henry E. Autrey granting motion for attorney Annapoorni R. Sankaran to appear pro hac vice [38-1] (cc: all counsel) (CLA) (Entered: 07/25/2003)
07/25/2003	<u>42</u>	DISCLOSURE of Corporation Interests Certificate Parent companies: None Subsidiaries: All subsidiaries are wholly owned by Amerifit Publicly held company: Jefferies, Inc., Fleet Bank and GlaxoSmithKline each are public companies which own ten percent (10%) or more of Amerifit through various private investment funds which they own or control by defendant Amerifit Nutrition (MJM) (Entered: 07/28/2003)
08/04/2003	<u>43</u>	MOTION by plaintiff Solae, L.L.C. for leave to file resp. to motion under seal w/ resp. attached (MJM) (Entered: 08/05/2003)
08/11/2003	<u>44</u>	RULED DOCUMENT by Honorable Henry E. Autrey granting motion for leave to file resp. to motion under seal [43-1] (cc: all counsel) (MJM) (Entered: 08/11/2003)
08/11/2003	<u>45</u>	RESPONSE (memo in opp.) by plaintiff Solae, L.L.C. to motion to dismiss Plaintiff's Complaint Date Motion Received: 7/11/03 [25-1] w/ declaration of David F. Ries in support of resp. to mtn. attached (FILED UNDER SEAL) (MJM) (Entered: 08/11/2003)
08/11/2003	<u>45</u>	SEALED DOCUMENT by plaintiff Solae, L.L.C. [45-1] (MJM) (Entered: 08/11/2003)
08/14/2003	<u>46</u>	REPLY by defendant Amerifit Nutrition to response to motion to dismiss Plaintiff's Complaint Date Motion Received: 7/11/03 [25-1] (MJM) (Entered: 08/15/2003)

08/14/2003	<u>47</u>	REPLY by defendant Archer Daniels Co. to response to motion to dismiss Date Motion Received: 7/10/03 [23-1] [23-1] w/ exhs m-o attached (MJM) (Entered: 08/15/2003)
08/25/2003	<u>48</u>	MOTION by plaintiff Solae, L.L.C. for leave to file surreply under seal (MJM) (Entered: 08/26/2003)
08/26/2003	<u>49</u>	RULED DOCUMENT by Honorable Henry E. Autrey granting motion for leave to file surreply under seal [48-1] (cc: all counsel) (MJM) (Entered: 08/27/2003)
08/26/2003	<u>50</u>	SUR-REPLY by plaintiff Solae, L.L.C. to response to motion to dismiss Plaintiff's Complaint Date Motion Received: 7/11/03 [25-1], motion to dismiss Date Motion Received: 7/10/03 [23-1] [23-1] w/ exh 19 attached (FILED UNDER SEAL) (MJM) Modified on 08/27/2003 (Entered: 08/27/2003)
08/26/2003	<u>50</u>	SEALED DOCUMENT by plaintiff Solae, L.L.C. [50-1] (MJM) (Entered: 08/27/2003)
08/29/2003	<u>51</u>	RESPONSE by defendant Archer Daniels Co. to [48-1] (CLA) (Entered: 09/02/2003)
08/29/2003	<u>51</u>	MOTION by defendant Archer Daniels Co. requesting the Court to vacate its order of 8/26/03 (MJM) (Entered: 09/05/2003)
09/03/2003	<u>52</u>	RESPONSE by plaintiff Solae, L.L.C. to motion requesting the Court to vacate its order of 8/26/03 [51-1] (MJM) (Entered: 09/05/2003)
11/21/2003	<u>53</u>	Joint MOTION to Consolidate Cases Consolidate with higher case number 4:03CV1595 by Defendants Amerifit Nutrition, Inc., Archer Daniels Midland Company. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B) (Abramov, Kirill) (Entered: 11/21/2003)
11/21/2003	<u>54</u>	MEMORANDUM in Support of Motion re <u>53</u> Joint MOTION to Consolidate Cases Consolidate with higher case number 4:03CV1595 filed by Defendants Amerifit Nutrition, Inc., Archer Daniels Midland Company. (Abramov, Kirill) (Entered: 11/21/2003)
11/21/2003	<u>55</u>	SUPPLEMENTAL re <u>53</u> Joint MOTION to Consolidate Cases Consolidate with higher case number 4:03CV1595 <i>PROPOSED ORDER</i> by Defendants Amerifit Nutrition, Inc., Archer Daniels Midland Company. (Abramov, Kirill) (Entered: 11/21/2003)
12/04/2003	<u>56</u>	RESPONSE/Memorandum in Opposition re <u>53</u> Joint MOTION to Consolidate Cases Consolidate with higher case number 4:03CV1595 filed by Plaintiff Solae, L.L.C.. (Attachments: # <u>1</u> Exhibit 1)(Goerisch, C.) (Entered: 12/04/2003)
12/11/2003	<u>57</u>	REPLY to Response to Motion re <u>53</u> Joint MOTION to Consolidate Cases Consolidate with higher case number 4:03CV1595 filed by Defendants Amerifit Nutrition, Inc., Archer Daniels Midland Company. (Abramov, Kirill) (Entered: 12/11/2003)

12/11/2003		Docket Text ORDER re <u>53</u> Joint MOTION to Consolidate Cases Consolidate with higher case number 4:03CV1595 filed by Archer Daniels Midland Company, Amerifit Nutrition, Inc. ; ORDERED Denied. Signed by Judge Henry E. Autrey on 12/11/03. (MJM,) (Entered: 12/16/2003)
12/12/2003	<u>58</u>	MEMORANDUM re <u>57</u> Reply to Response to Motion by Defendants Amerifit Nutrition, Inc., Archer Daniels Midland Company. (Abramov, Kirill) (Entered: 12/12/2003)
01/06/2004	<u>59</u>	NOTICE by Plaintiff Solae, L.L.C. of <i>Firm Change for Certain Counsel and Withdrawal of Certain Other Counsel</i> (Goerisch, C.) (Entered: 01/06/2004)
01/06/2004	<u>60</u>	NOTICE by Defendant Amerifit Nutrition, Inc. of <i>Withdrawal of Counsel</i> (Cassetta, Richard) (Entered: 01/06/2004)
01/06/2004	<u>61</u>	ENTRY of Appearance by Kirill Y. Abramov Defendant Amerifit Nutrition, Inc.. (Abramov, Kirill) (Entered: 01/06/2004)
01/08/2004		Docket Text ORDER ; ORDERED GRANTING notice of firm change doc. #59 - address updated re: atty Carson; atty Ries termed as atty of record. Signed by Judge Henry E. Autrey on 1/8/04. (CEL,) (Entered: 01/20/2004)
01/08/2004		Docket Text ORDER ; ORDERED GRANTING notice doc #60 - attys with Thompson Coburn and Greenberg Traurig termed as attys of record. Signed by Judge Henry E. Autrey on 1/8/04. (CEL,) (Entered: 01/20/2004)
01/12/2004	<u>62</u>	RULE 16 ORDER This case is assigned to Track: (2) Standard Joint Scheduling Plan due by 1/27/2004. Rule 16 Conference set for 2/6/2004 12:00 PM in In Chambers before Honorable Henry E. Autrey.. Signed by Judge Henry E. Autrey on 1/12/04. (MJM,) (Entered: 01/12/2004)
01/27/2004	<u>63</u>	Joint MOTION Reschedule Rule 16 Conference and For an Extension of Time to Submit Proposed Scheduling Plan by Defendants Amerifit Nutrition, Inc., Archer Daniels Midland Company, Plaintiff Solae, L.L.C.. (Abramov, Kirill) (Entered: 01/27/2004)
01/29/2004	<u>64</u>	ORDER re <u>63</u> Joint MOTION Reschedule Rule 16 Conference and For an Extension of Time to Submit Proposed Scheduling Plan filed by Archer Daniels Midland Company, Solae, L.L.C., Amerifit Nutrition, Inc. IT IS HEREBY ORDERED that Defendant's Joint MOTION to Reschedule Rule 16 Conference and For an Extension of Time to Submit Proposed Scheduling Plan [Doc. #63] is GRANTED. The Rule 16 conference previously scheduled for February 6, 2004 at 12:00 p.m. is hereby rescheduled to Friday, March 5, 2004 at 11:30 a.m. in the chambers of the undersigned. Rule 16 Conference set for 3/5/2004 11:30 AM in Courtroom 10N before Honorable Henry E. Autrey.. Signed by Judge Henry E. Autrey on 1/29/04. (MJM,) (Entered: 01/29/2004)
01/30/2004	<u>65</u>	JOINT SCHEDULING PLAN by Defendants Amerifit Nutrition, Inc.,

		Archer Daniels Midland Company, Plaintiff Solae, L.L.C... (Goerisch, C.) (Entered: 01/30/2004)
02/11/2004	<u>66</u>	ORDER IT IS HEREBY ORDERED that the Rule 16 conference previously scheduled for Friday, March 5, 2004 at 11:30 a.m. is hereby reset to 11:00 a.m. in the chambers of the undersigned. Rule 16 Conference set for 3/5/2004 11:00 AM in In Chambers before Honorable Henry E. Autrey.. Signed by Judge Henry E. Autrey on 2/11/04. (MJM,) (Entered: 02/11/2004)
02/13/2004		Receipt # S2004-004255 in the amount of \$25.00 for ATTORNEY ADM. FEE - PHV on behalf of FLEMING, THOMAS F.. (CSW,) (Entered: 02/13/2004)
02/13/2004	<u>67</u>	MOTION for Leave to Appear Pro Hac Vice Thomas Fleming by Plaintiff Solae, L.L.C.. (MJM,) (Entered: 02/18/2004)
02/20/2004		Docket Text ORDER re <u>67</u> MOTION for Leave to Appear Pro Hac Vice RE: Thomas Fleming filed by Solae, L.L.C.. Signed by Judge Henry E. Autrey on 2/20/04. (CEL,) (Entered: 02/20/2004)
03/05/2004	<u>68</u>	MEMORANDUM in Support of Motion re [25] Motion to Dismiss filed by Defendant Amerifit Nutrition, Inc.. (CLA,) (Entered: 03/05/2004)
03/05/2004	<u>69</u>	ORDER It is hereby ordered that memorandum withdrawing memorandum in support of mtn. deft. Amerifit Nutrition Inc., to dismiss plttf.'s complaint filed 7/11/03, is granted [27] Signed by Judge Henry E. Autrey on 3/5/04. (CLA,) (Entered: 03/05/2004)
03/05/2004	<u>70</u>	ORDER It is hereby ordered that deft. Archer Daniels Midland Company's mtn. to vacate the court's order of 8/26/03 #51 is denied. Signed by Judge Jean C. Hamilton on 3/5/04. (CLA,) (Entered: 03/05/2004)
03/11/2004	<u>71</u>	ORDER It is hereby ordered that deft. Archer Daniels Midland Co.'s mtn. to dismiss for lack of standing and failure to join an indispensable party is denied #23 motion to dismiss. It is further ordered that mtn. of deft. Amerifit Nutrition Inc., to dismiss plttf.'s complaint is denied [25] Motion to Dismiss Signed by Judge Henry E. Autrey on 3/11/04. (CLA,) (Entered: 03/12/2004)
03/15/2004	<u>72</u>	CASE MANAGEMENT ORDER This case is assigned to Track: 3 Motion to Join Parties due by 6/14/2004. Discovery Completion due by 12/20/2004. Non-Dispositive Motions due by 12/31/2004. ADR Future Reference 7/19/2004. Dispositive Motions due by 3/4/2005. Jury Trial set for 6/6/2005 09:30 AM in Courtroom 10N before Honorable Henry E. Autrey. Pretrial Compliance due by 5/18/2005. Motion in Limine due by 5/28/2005.. Signed by Judge Henry E. Autrey on 3/15/04. (CEL,) (Entered: 03/15/2004)
03/18/2004	<u>73</u>	MOTION for Reconsideration by Defendant Archer Daniels Midland Company. (Rovak, Stephen) (Entered: 03/18/2004)
03/24/2004		Docket Text ORDER re <u>73</u> MOTION for Reconsideration filed by

		Archer Daniels Midland Company ; ORDERED DENIED. Signed by Judge Henry E. Autrey on 3/24/04. (MJM,) (Entered: 03/24/2004)
03/25/2004	<u>74</u>	Consent MOTION for Leave to File An Answer On or before April 1, 2004 by Defendant Archer Daniels Midland Company. (Abramov, Kirill) (Entered: 03/25/2004)
03/26/2004		Docket Text ORDER re <u>74</u> Consent MOTION for Leave to File An Answer On or before April 1, 2004 filed by Archer Daniels Midland Company ; ORDERED Granted. Signed by Judge Henry E. Autrey on 3/26/04. (MJM,) (Entered: 03/26/2004)
04/01/2004	<u>75</u>	ANSWER to Complaint with Jury Demand, COUNTERCLAIM against plaintiff Solae, L.L.C. Jury DemandDemand, by Amerifit Nutrition, Inc.. (Abramov, Kirill) (Entered: 04/01/2004)
04/01/2004	<u>76</u>	ANSWER to Complaint with Jury Demand, COUNTERCLAIM against plaintiff Solae, L.L.C. Jury DemandDemand, by Archer Daniels Midland Company.(Abramov, Kirill) (Entered: 04/01/2004)
04/02/2004	<u>77</u>	AMENDED CASE MANAGEMENT ORDER This case is assigned to Track: 3 Motion to Join Parties due by 6/14/2004. Discovery Completion due by 12/20/2004. Non-Dispositive Motions due by 12/31/2004. ADR Future Reference 7/18/2004. Dispositive Motions due by 3/4/2005. Jury Trial set for 6/6/2005 09:30 AM in Courtroom 10N before Honorable Henry E. Autrey. Pretrial Compliance due by 5/17/2005.. Signed by Judge Henry E. Autrey on 4/2/04. (CEL,) (Entered: 04/02/2004)
04/21/2004	<u>78</u>	<i>Plaintiff's</i> ANSWER to Counterclaim of Defendant Archer Daniels Midland Company by Solae, L.L.C..(Goerisch, C.) (Entered: 04/21/2004)
04/21/2004	<u>79</u>	<i>Plaintiff's</i> ANSWER to Counterclaim of Defendant Amerifit Nutrition, Inc. by Solae, L.L.C..(Goerisch, C.) (Entered: 04/21/2004)
04/26/2004	<u>80</u>	Joint MOTION to Consolidate Cases and Modify the Court's Amended Case Management Order Consolidate with higher case number 03-1595 by Defendants Amerifit Nutrition, Inc., Archer Daniels Midland Company, Counter Claimants Amerifit Nutrition, Inc., Archer Daniels Midland Company, Plaintiff Solae, L.L.C., Counter Defendants Solae, L.L.C., Solae, L.L.C.. (Goerisch, C.) (Entered: 04/26/2004)
04/28/2004	<u>81</u>	ORDER IT IS HEREBY ORDERED that cases 4:03CV732 HEA and 4:03CV1595 RWS are consolidated for all purposes. The parties shall file all further pleadings in case No. 4:03CV732 HEA only. IT IS FURTHER ORDERED that the Amended Case Management Order in Case Number 4:03CV732 HEA is modified by moving all deadlines set forth therein back 60 days. The trial in this matter shall remain June 6, 2005.. Signed by Judge Henry E. Autrey on 4/28/04. (MJM,) (Entered: 04/28/2004)
04/30/2004	<u>82</u>	ORDER Jury Trial set for 8/15/2005 09:30 AM in Courtroom 10N before Honorable Henry E. Autrey. Signed by Judge Henry E. Autrey on 4/30/04. (CLA,) (Entered: 04/30/2004)
05/11/2004	<u>83</u>	ANSWER to Complaint with Jury Demand, COUNTERCLAIM against

		plaintiff Solae, L.L.C. Jury DemandDemand, by Archer Daniels Midland Company.(Abramov, Kirill) (Entered: 05/11/2004)
05/11/2004	<u>84</u>	ANSWER to Complaint with Jury Demand, COUNTERCLAIM against plaintiff Solae, L.L.C. Jury DemandDemand, by Amerifit Nutrition, Inc.. (Abramov, Kirill) (Entered: 05/11/2004)
06/01/2004	<u>85</u>	ANSWER to Counterclaim of Defendant Archer Daniels Midland Company by Solae, L.L.C..(Goerisch, C.) (Entered: 06/01/2004)
06/01/2004	<u>86</u>	ANSWER to Counterclaim of Defendant Amerifit Nutrition, Inc. by Solae, L.L.C..(Goerisch, C.) (Entered: 06/01/2004)
07/22/2004	<u>87</u>	ORDER REFERRING CASE to Alternative Dispute Resolution. This case is referred to: Mediation Designation of Lead Counsel: Andrew Rothschild ADR Completion Deadline due by 9/19/2004. Designation of Neutral due by 8/9/2004. ADR Conference Schedule due by 8/9/2004.. Signed by Judge Henry E. Autrey on 7/22/04. (MJM,) (Entered: 07/23/2004)
08/09/2004	<u>88</u>	Consent MOTION for Extension of: Time to Advise Court of ADR Conference Schedule by Plaintiff Solae, L.L.C.. (Goerisch, C.) (Entered: 08/09/2004)
08/10/2004		Docket Text ORDER re <u>88</u> Consent MOTION for Extension of: Time to Advise Court of ADR Conference Schedule filed by Solae, L.L.C. ; ORDERED Granted ADR Conference Schedule due by 8/16/2004. Designation of Neutral due by 8/16/2004.. Signed by Judge Henry E. Autrey on 8/10/04. (MJM,) (Entered: 08/10/2004)
08/13/2004	<u>89</u>	Joint MOTION to Amend/Correct Case Management Order by Defendant Archer Daniels Midland Company, Counter Claimants Archer Daniels Midland Company, Archer Daniels Midland Company, Plaintiff Solae, L.L.C.. (Attachments: # <u>1</u> Text of Proposed Order Amended Case Management Order)(Abramov, Kirill) (Entered: 08/13/2004)
08/16/2004	<u>90</u>	Consent MOTION for Extension of: Deadline to Advise Court of Mediator Selection and ADR Conference Schedule and to Extend Deadline to Complete Mediation by Plaintiff Solae, L.L.C.. (Goerisch, C.) (Entered: 08/16/2004)
08/16/2004		Docket Text ORDER re <u>89</u> Joint MOTION to Amend/Correct Case Management Order filed by Archer Daniels Midland Company, Solae, L.L.C. ; ORDERED Granted. Signed by Judge Henry E. Autrey on 8/16/04. (MJM,) (Entered: 08/17/2004)
08/16/2004	<u>91</u>	AMENDED CASE MANAGEMENT ORDER Motion to Join Parties/Amend Pleadings due by 9/27/2004. Discovery Completion due by 2/18/2005. Non-Dispositive Motions due by 3/1/2005. Dispositive Motions due by 5/3/2005. Opposition briefs shall be filed no later than 6/3/05 and any reply brief may be filed no later than 6/13/05. Jury Trial set for 8/15/2005 09:30 AM in Courtroom 10N before Honorable Henry E. Autrey. Pretrial Compliance due by 7/26/2005.. Signed by Judge

		Henry E. Autrey on 8/16/04. (MJM,) (Entered: 08/17/2004)
08/17/2004		Docket Text ORDER re <u>90</u> Consent MOTION for Extension of: Deadline to Advise Court of Mediator Selection and ADR Conference Schedule and to Extend Deadline to Complete Mediation filed by Solae, L.L.C. ; ORDERED Granted ADR Completion Deadline due by 10/22/2004. ADR Conference Schedule due by 8/23/2004. Designation of Neutral due by 8/23/2004.. Signed by Judge Henry E. Autrey on 8/17/04. (MJM,) (Entered: 08/18/2004)
08/20/2004	<u>93</u>	MOTION for Protective Order by Defendant Archer Daniels Midland Company, Counter Claimants Archer Daniels Midland Company, Archer Daniels Midland Company. (Attachments: # <u>1</u> Text of Proposed Order Stipulation And Order Governing The Protection And Exchange Of Confidential Material)(Abramov, Kirill) (Entered: 08/20/2004)
08/20/2004		***REMARK Document 92 has been deleted from this record and refiled as document #93 (CEL,) (Entered: 08/20/2004)
08/23/2004	<u>94</u>	Designation of Neutral by parties and ADR Conference Report by Plaintiff Solae, L.L.C. Neutral: Richard P. Sher Date of Conference: October 4, 2004 time: 9:00 a.m. Location: Devereux Murphy, LLC (Goerisch, C.) (Entered: 08/23/2004)
08/25/2004	<u>95</u>	NOTICE of Appointment of Neutral Neutral name: Richard Sher Neutral selected by parties, notice of appointment and order of referral e-mailed to neutral Sher.(SAC,) (Entered: 08/25/2004)
08/26/2004		Docket Text ORDER re <u>93</u> MOTION for Protective Order filed by Archer Daniels Midland Company ; ORDERED Granted. Signed by Judge Henry E. Autrey on 8/26/04. (MJM,) (Entered: 08/27/2004)
08/26/2004	<u>96</u>	PROTECTIVE ORDER SEE ORDER FOR DETAILS. Signed by Judge Henry E. Autrey on 8/26/04. (MJM,) (Entered: 08/27/2004)
11/02/2004		Docket Text ORDER ; ORDERED IT IS HEREBY ORDERED this case is stayed for (30) days pending settlement discussions., Case stayed.. Signed by Judge Henry E. Autrey on 11/2/04. (MJM,) (Entered: 11/02/2004)
11/09/2004	<u>97</u>	ADR COMPLIANCE REPORT by Neutral: Richard Sher, Date of Conference: November 1, 2004, participated in good faith: yes, the parties DID achieve a settlement(SAC,) (Entered: 11/09/2004)
12/07/2004	<u>98</u>	MOTION to Stay by Plaintiff Solae, L.L.C., Counter Defendant Solae, L.L.C.. (Goerisch, C.) (Entered: 12/07/2004)
12/07/2004		Docket Text ORDER re <u>98</u> MOTION to Stay filed by Solae, L.L.C. ; ORDERED Granted SO ORDERED. Signed by Judge Henry E. Autrey on 12/7/04. (MJM,) (Entered: 12/08/2004)
12/22/2004	<u>99</u>	Joint MOTION for Additional Stay by Plaintiff Solae, L.L.C.. (Goerisch, C.) (Entered: 12/22/2004)

12/28/2004		Docket Text ORDER re 99 Joint MOTION for Additional Stay filed by Solae, L.L.C. ; ORDERED Granted until 1/31/05.. Signed by Judge Henry E. Autrey on 12/28/04. (MJM,) (Entered: 12/29/2004)
02/14/2005	<u>100</u>	NOTICE by Plaintiff Solae, L.L.C. <i>Joint Stipulation of Dismissal:</i> (Goerisch, C.) (Entered: 02/14/2005)
02/16/2005		Docket Text ORDER ; ORDERED JOINT STIPULATION OF DISMISSAL. GRANTED SO ORDERED HEA. Signed by Judge Henry E. Autrey on 2/16/05. (CLA,) (Entered: 02/17/2005)
02/16/2005	<u>101</u>	FINAL REPORT to Commissioner of filing or determination of an action Joint stipulation of dismissal filed by parties; So Ordered HEA. (CLA,) (Entered: 02/25/2005)

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